

In the Amendment After Final filed on January 3, 2000, rejected claims 9-19 were amended in accordance with the agreement with the Examiner. New claim 20 was also added including the same language as agreed upon by the Examiner.

The Examiner responded to the Amendment After Final with the Advisory Action dated January 11, 2000, stating that the Amendment After Final will not be entered because claim 20 would necessitate further reconsideration and/or search. The Advisory Action does not state that claims 9-19 as amended were considered allowable. However, during the personal interview the Examiner stated the agreed upon amendment were acceptable to him, therefore the Applicant assumes that as amended in the Amendment After Final, claims 9-19 are in condition for allowance.

The undersigned attorney contacted the Examiner by telephone to inquire what new issues were presented by new claim 20. The Examiner requested that this Request For Reconsideration be filed, explaining that claim 20 does not present new issues.

II. CLAIM 20 DOES NOT PRESENT NEW ISSUES

Newly added claim 20 of the Amendment After Final recites:

20. A method comprising:

reading an interval of time from a storage medium; and

allowing access to data if a present time falls within the interval of time.

For comparison, claim 15 (which did not create a new issue) recites:

15. A method for ascertaining a sales period exists, said method comprising:
reading an interval period stored on a medium indicating a serving period of time;
generating present time data indicating a present time; and
comparing the period stored on the medium with the present time to judge whether said
present time falls within the period of time.

It is submitted that the first operation of claim 20 ("reading. . .") is substantially
similar to the first step of claim 15, and therefore cannot raise a new issue.

It is submitted that the second operation of claim 20 ("allowing. . .") is substantially
similar to the third step of claim 15, and therefore cannot raise a new issue. The only
difference is that the second operation of claim 20 "allows" as opposed to merely "compares."
However, the last operation of claim 1 (which is allowed) recites "serving the content when
said comparator judges that the present time falls within the period of time." It is submitted
that the "allowing access to data" of claim 20 is substantially similar to the "serving the
content" of claim 1 as to not to raise a new issue.

Claim 15 also recites "generating present time data. . .," while claim 20 does not
positively recite this operation but instead recites, "if a present time. . ." It is submitted that
not positively reciting the "generating time data" operation cannot raise a new issue, as one
embodiment of the present invention may not contain a present time generator.

Therefore, none of the two operations of claim 20 raise new issues which requires
further reconsideration and/or search. Entry of the Amendment After Final, dated January 3,
2000, is respectfully requested.

III. CONCLUSION


In view of the above, it is respectfully submitted that the Amendment After Final dated January 3, 2000, does not raise new issues, and entry of the Amendment is respectfully requested, which will place the Application in condition for allowance.

If the Examiner has any concerns, he is encouraged to contact the undersigned Attorney to discuss the Application.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 2-1-00